

## **EXHIBIT 4**

Patricia L. Murray, M.D.

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
Charleston Division

IN RE: ETHICON, INC.  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

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SAUNDRA LANDES and CHARLES  
LANDES,

Plaintiffs,

vs.

ETHICON, INC., ETHICON, LLC  
ETHICON, INC., AND JOHNSON  
AND JOHNSON,

Defendants.

- - - - - +

Case Number:

2:12-cv-1262

Deposition of Patricia L. Murray, M.D.  
Fredericksburg, Virginia  
Thursday, June 6, 2013  
5:30 p.m.

Reported by: Laurie Bangart-Smith, RPR, CRR

Patricia L. Murray, M.D.

Page 2

1 Deposition of  
2 PATRICIA L. MURRAY, M.D.

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4 Held at the offices of:

5 Gynecology Associates of Fredericksburg  
6 221 Park Hill Drive  
7 Fredericksburg, Virginia 22401  
8 (540) 368-1986

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18 Taken pursuant to notice, before  
19 Laurie Bangart, Registered Professional  
20 Reporter, Certified Realtime Reporter, and  
21 Notary public in and for the Commonwealth of  
22 Virginia.

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Patricia L. Murray, M.D.

Page 3

1 A P P E A R A N C E S

2 ON BEHALF OF THE PLAINTIFFS:

3 Levin, Simes, Kaiser & Gornick, LLP

4 353 Sacramento Street, 20th Floor

5 San Francisco, California 94111

6 (415) 426-3000

7 By: Meghan E. McCormick, Esq.

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9 ON BEHALF OF THE DEFENDANTS:

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Patricia L. Murray, M.D.

Page 7

1 P R O C E E D I N G S

2 PATRICIA MURRAY, M.D.,

3 having been first duly sworn, testified upon her  
4 oath as follows:

5 EXAMINATION BY COUNSEL FOR PLAINTIFFS

6 BY MS. MCCORMICK:

7 Q Doctor, my name is Meghan McCormick. I  
8 represent Saundra Landes and her husband in a case  
9 against Johnson & Johnson and Ethicon related to the  
10 use of the product, the TVT-O transvaginal mesh.

11 You and I have met before; correct?

12 A Correct.

13 Q And just for the record, when did we meet?

14 A Last night or yesterday afternoon.

15 Q For how long?

16 A About two hours.

17 Q And have you ever had your deposition taken  
18 before?

19 A Yes.

20 Q Okay.

21 So you remember the ground rules to answer  
22 yes or no? "Mm-hmm" and "huh-uh" doesn't work?

23 A Yes. It's been like 25 years, but -- so  
24 it's been a long time ago, so I don't know how much I  
25 remember.

Patricia L. Murray, M.D.

Page 9

1 beyond that.

2 Q I see.

3 Before today's deposition, have you spoken  
4 with any attorney who represents Ethicon or Johnson &  
5 Johnson?

6 A No.

7 Q Have you spoken to any representative of  
8 Ethicon or Johnson & Johnson regarding either this  
9 suit specifically or the litigation in general?

10 A I'm sorry. Could you repeat the question.

11 Q Have you spoken to any representative,  
12 somebody with the company, either Ethicon or Johnson &  
13 Johnson?

14 A No.

15 Q Did you do anything to prepare for the  
16 deposition today?

17 A I read over the article that you gave me  
18 yesterday.

19 Q Just for the record, which article is that?

20 A It's called -- it's in AJOG, American  
21 Journal of Obstetrics & Gynecology, and it's "Adverse  
22 Events Over Two Years After Retropubic or  
23 Transobturator Midurethral Sling Surgery, Findings  
24 from the Trial of Midurethral Slings (TOMUS) Study,"  
25 and it's dated November 2011.

Patricia L. Murray, M.D.

Page 117

1 post-op exam.

2 MS. McCORMICK: I think, given the  
3 time, I will pass the witness at this point.

4 Thank you.

5 THE WITNESS: Thanks.

6 MS. McCORMICK: Just for the  
7 record, I cut it short.

8 MS. METZGER: That was unexpected.

9 MS. McCORMICK: I'm sure it was.  
10 (Whereupon, a short recess was  
11 taken.)

12 EXAMINATION BY COUNSEL FOR DEFENDANTS

13 BY MS. METZGER:

14 Q Dr. Murray, my name is Kim Metzger. I  
15 represent Johnson & Johnson and Ethicon, and we met  
16 throughout the course of this evening.

17 We have not met before; is that correct?

18 A That's correct.

19 Q Ms. McCormick had the opportunity to ask you  
20 some questions about your care and treatment of  
21 Ms. Landes and some other questions as well, and this  
22 is my opportunity to do the same thing.

23 Can you let me know a little bit about the  
24 meeting that you had with Ms. McCormick.

25 Was it yesterday?

Patricia L. Murray, M.D.

Page 118

1 A Yes.

2 Q What did you talk about with her yesterday?

3 A Basically we just -- the documents that were  
4 going to be needed for tonight and that I was prepared  
5 to present everything, you know, and that also we  
6 talked about -- she gave me this information.

7 Q You pointed to the journal article that you  
8 have on the table with you --

9 A Correct.

10 Q -- entitled "Adverse Events Over Two Years  
11 After Retropubic Transobturator Midurethral Sling  
12 Surgery," by Brubaker, et al; correct?

13 A Correct, and we went through the medical  
14 record.

15 Q Okay.

16 Did she ask you any questions like "if I ask  
17 you this, what would your answer be," that sort of  
18 thing?

19 A No.

20 Q Did she ask you for any opinions about  
21 whether any condition that Mrs. Landes is suffering  
22 from now or suffered from in the past was caused by  
23 the TVT-O device?

24 A Did she -- say the question again.

25 Q It was a long question.



Patricia L. Murray, M.D.

Page 119

1 Did she ask you if you had an opinion --  
2 first of all, did she tell you or give you any  
3 information about what Mrs. Landes and Mr. Landes are  
4 alleging in their complaint?

5 A That there was a problem with dyspareunia  
6 and some bladder incontinence.

7 Q Okay, and did she ask you if you would  
8 relate any dyspareunia Mrs. Landes is having or any  
9 bladder problems that Mrs. Landes is having to the  
10 TVT-O device?

11 A Just in general as far as, you know, is  
12 there a risk of those problems occurring with the use  
13 of TVT.

14 Q And that's certainly the case. There is a  
15 risk of both dyspareunia and bladder problems  
16 associated with the TVT implant; correct?

17 A Yes.

18 Q And that was a risk that you knew about at  
19 the time that you performed the surgery on  
20 Mrs. Landes in May 2010?

21 A Yes.

22 Q And that was a risk you also warned  
23 Mrs. Landes about before you performed the procedure;  
24 is that right?

25 A Correct.